

BOARD OF PUBLIC WORKS AND SAFETY
APRIL 13, 2015

Jonathan Stinson Vice President opened the meeting stating all current members were present, those being Jonathan Stinson, James Trimble, Cary Sparks and Roland Shelton.

OLD BUSINESS

1. Approve Minutes from Board of Public Works and Safety meeting March 23, 2015

Cary Sparks made a motion to approve; this was seconded by Roland Shelton and approved by the Board.

2. Open Bids – Gasoline & Diesel Fuel – City of Terre Haute Transit Utility

The Board received bids from the following, these bids will not include pricing; this will be an online bid taking place on April 20th.

- XO Vest Incorporated located in Farmersburg, Indiana
- BlackDog Incorporated located in Westchester, Illinois
- Heritage Petroleum LLC located in Evansville, Indiana
- Ports Petroleum Company Incorporated located in Wooster Ohio
- Spence Banks located in Terre Haute, Indiana
- Thornton's Incorporated (this did not contain a bid just pricing)

Cary Sparks made a motion to take these under advisement; this was seconded by Roland Shelton and approved by the Board.

3. Award Bid – Hazard Tree Removal 2015

Based on a recommendation from the Department of Engineering (Scott Barbour) Roland Shelton made a motion to award Tree Removal to the low bidder Certified Tree Service and to use Certified Tree Service, Elkins Brothers Tree Service, Salmon's Tree Service and Wabash Valley Tree Service for Emergency Tree Removal; this was seconded by James Trimble and approved by the Board.

NEW BUSINESS

1. Hardship Request

Based on a recommendation from City Legal James Trimble made a motion to approve the hardship of \$486.00; this was seconded by Cary Sparks and approved by the Board.

2. Settlement Request

Based on a recommendation from City Legal Roland Shelton made a motion to approve the reduction of 1/3 and request payment of \$70.67 as paid in full; this was seconded by James Trimble and approved by the Board.

3. Suit Authorization

Based on a recommendation from City Legal Cary Sparks made a motion to approve; this was seconded by Roland Shelton and approved by the Board.

4. Request from Street Department to declare the following as Surplus

- **1994 GMC Pick Up**
- **2001 F-250**
- **2001 Keizer Hot Box**

Cary Sparks asked Brad Miller how he would dispose of and the Board was informed he would scrap or auction whichever would bring in the most money. Cary Sparks made a motion to declare as surplus; this was seconded by Roland Shelton and approved by the Board.

5. Request from Spence Banks Oil to continue Previous Bid for 2015

Based on a recommendation from City Legal Roland Shelton made a motion to approve the FOURTH EXTENSION OF AGREEMENT BETWEEN CITY OF TERRE HAUTE, INDIANA ND SPENCE/BANKS OIL; this was seconded by James Trimble and approved by the Board.

6. Request from Wabash Valley Roadrunners to host the Annual Blues at the Crossroads Half Marathon on Saturday, September 19, 2015

Based on positive recommendations from the Department of Engineering, Street Department and Police Department Roland Shelton made a motion to approve; this was seconded by James Trimble and approved by the Board.

7. Request from Union Hospital Employees Wellness Committee to close Locust between 25th and 34th Street and Brown Avenue between Elm and 8th Avenue on Saturday June 6 during 5K Run

Based on positive recommendations from the Department of Engineering, Street Department and Police Department James Trimble made a motion to approve; this was seconded by Cary Sparks and approved by the Board.

8. Request from ISU to close Eagle Street between 8th and 9th Street on Monday, April 13th from 6 AM to Noon

This request was submitted late and approved based on recommendations from the Street Department and Department of Engineering before the meeting. ISU will supply the barricades. Cary Sparks made a motion to approve the decision made by the Administrator to approve; this was seconded by James Trimble and approved by the Board.

9. Agreement between City of Terre Haute and Terre Haute Dewatering Company, LLC

Mark Thompson asked the Board to withdraw until contract is completed. Todd Nation asked why this document was already signed. City Attorney Chou-il Lee explained it is standard practice to execute a contract prior to meeting and then ratify at the meeting. Todd Nation stated accepting a pre payment of \$750,000 is a "little" more than closing a street and asking the Board to ratify. He asked why this was not bid and he was informed this is a SERVICE which does not have to be bid; we look at several and choose the least expensive. Patrick Goodwin asked where Robert Murray was and was informed Mr. Murray resigned from the Board this morning. Mr. Goodwin asked if the public would have a chance to review the contract before the Board approves and he was informed this was dependent on the administration. Mr. Goodwin stated if an article appears on the agenda it should be available for public viewing. Patrick Goodwin asked if the City owned the dewatering equipment referenced in the Agreement and was informed no. He then asked who owns equipment and Mark Thompson informed him he "did not know", could be Plocher or the State Revolving Fund. Patrick Goodwin stated "no one knows who owns" Patrick Goodwin informed the Board that the Sanitary Board removed this equipment

from their contract via a change order several months ago. Patrick Goodwin asked what the emergency situation was and why ahead of meeting. Chou-il Lee informed him the City was counting on a prepayment from Powerdyne when creating the budget and this has not been received. Patrick Goodwin asked if the money had been spent and was informed by Mr. Lee "can't say". Patrick Goodwin stated "Mayor said there was no emergency, no one knows what that need was and then Robert Murray resigned, what is going on and who is going to tell me". Chuck Ennis informed the Board the Change Order was created to take the equipment out of the contract giving ownership to Plocher. Patrick Goodwin asked the Board if Highland is still in operation. Noah Gambill asked how we had an agreement with no formal bidding. He was informed the Board did not have the final document. He asked if there were appraisals done on the property and the equipment and then informed the Board there needed to be two (2) appraisals done before lease agreement could be in place, according to 36-1-11-3.2. Mr. Gambill asked if the Board had Procedures in Place for Solicitation of Services and was informed City Legal would review. Noah Gambill asked the status of Highland. Patrick Goodwin asked Chou-il if he was working on the contracts and was informed No, Mark Thompson and the Mayor would be working on these and then when complete they would be referred to City Legal to check legality. Patrick Goodwin informed the Board he was told by the Mayor City Legal was negotiating these contracts.

10. Request from Wabash Valley Roadrunners to close Brown Avenue from Schaal Avenue to Maple and Locust from 25th to 34th during Fast Track Mile on July 4, 2015

Based on positive recommendations from the Department of Engineering, Street Department and Police Department James Trimble made a motion to approve; this was seconded by Cary Sparks and approved by the Board.

11. Request from Wabash Valley Roadrunners to close the Southbound lane of 1st Street between Oak and Farrington during Annual Midnight River Run on Friday, July 24th, 2015

Based on positive recommendations from the Department of Engineering and Street Department Roland Shelton made a motion to approve; this was seconded by Cary Sparks and approved by the Board.

12. Request from the Wabash Valley Horsemen's Association to hold the Annual Frontier Day Parade on July 4, 2015

Based on positive recommendations from the Street Department, Department of Engineering and Police Department James Trimble made a motion to approve; this was seconded by Roland Shelton and approved by the Board.

13. Change Order #1 – Traffic Signal Modernization Project

This change order reflects a savings from changes of how we approach the quantities on this project. During construction operations, the contractor identified several locations where the connection between the mast arm and signal head was deteriorated. After investigating the issue farther, it was determined that the City of Terre Haute Maintenance Department had experienced several failures with these connections. With the added weight of the new back plates (being installed on all signal heads) it was felt as though additional stresses would be placed on the connections, resulting in additional failures. Potential issues with adding back plates to existing signal heads were anticipated and undistributed quantities were included in the Contract Documents to account for this. This change order is for a credit of \$15,000. James Trimble made a motion to approve; this was seconded by Roland Shelton and approved by the Board.

14. Request from Newlin Johnson to close 6th Street between Walnut and Ohio on Thursday, April 30th, 2015 from 9 AM to 4 PM during Grand Opening

Based on positive recommendations from Street Department and Department of Engineering James Trimble made a motion to approve; this was seconded by Cary Sparks and approved by the Board.

15. Request from Wabash Valley Breast Cancer Survivor Organization to Paint a PINK Ribbon on the Street at 6th and Wabash on May 3, 2015

Based on positive recommendations from the Street Department and Department of Engineering Roland Shelton made a motion to approve; this was seconded by Cary Sparks and approved by the Board.

16. Request from the National MS Society to paint their LOGO on the Street at 5th and Wabash

Based on positive recommendations from the Street Department and Department of Engineering James Trimble made a motion to approve; this was seconded by Roland Shelton and approved by the Board.

17. Payroll

Roland Shelton made a motion to certify the payroll registers based on the recommendation of the Department Heads and the City Controller subject to the appropriation of funds; this was seconded by James Trimble and approved by the Board.

18. PO Registers

Cary Sparks made a motion to certify the purchase order registers based on the recommendation of the Department Heads and the City Controller subject to the appropriation of funds; this was seconded by James Trimble and approved by the Board.

19. Information Regarding 3000 South 9th Street former Southside Cleaners Brownfields Site

Patrick Martin informed the Board regarding well sampling and contaminates found in the drum located on the property. He informed the Board Robert Murray signed all the necessary forms required. Cary Sparks made a motion to approve; this was seconded by James Trimble and approved by the Board.

20. Request from ISU to close 9th Street from Chestnut to Tippecanoe April 13, 2015 to April 24, 2015.

Roland Shelton abstained from this vote. This request was submitted late and approved based on recommendations from the Street Department and Department of Engineering before the meeting. ISU will supply the barricades. Cary Sparks made a motion to approve; this was seconded by James Trimble and approved by the Board.

21. Uniform Conflict of Interest Statement

This is for Ray Azar who is catering an event for Arbor Day on April 23, 2015. Based on a recommendation from City Legal James Trimble made a motion to approve; this was seconded by Cary Sparks and approved by the Board.

22. Presentation by Rose Hulman Students – Bicycle/Pedestrian Bridge Over 3rd Street and Pedestrian Promenade to Wabash River

There being no further business James Trimble made a motion to adjourn; this was seconded by Roland Shelton and approved by the Board

Robin A Drummy, Administrator